

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JASON S. REEVE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. C20-5256 RAJ

**ORDER GRANTING IN PART
DEFENDANT'S MOTION FOR
EXTENSION OF TIME TO FILE
ANSWER**

This matter is before the Court on the Commissioner's motion for a third 28-day extension of time to file the answer/administrative record, based on delays in obtaining hearing transcripts due to office shutdowns during the COVID-19 pandemic. Dkt. 13. The Commissioner's motion and accompanying declarations aver the agency has created a new procedure to obtain hearing transcripts while working remotely, which is currently operating at "half of normal productivity and with a significant backlog." Dkt. 13 at 3; Dkt. 14-1 at 4.

Plaintiff requests this Court order the Commissioner to file the answer/administrative record within 14 days or, if unavailable, file any available portion of the record along with an accounting of when the complete record will likely be available. Dkt. 15.

The Court agrees with Plaintiff that the Commissioner should provide more information to justify any further extensions. However, the Court disagrees the

1 Commissioner should file a partial record if available. Filing of the
2 answer/administrative record triggers issuance of a scheduling order with briefing
3 deadlines, which is counterproductive when the record is incomplete.

4 Accordingly, it is hereby ORDERED that the Commissioner shall have up to and
5 including August 11, 2020, to file the answer/administrative record or, if unavailable, an
6 explanation of the status of the record and an estimate of when it will become available.

7 DATED this 29th day of July, 2020.

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10 The Honorable Richard A. Jones
11 United States District Judge
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